



City of Pittsburgh

Department of General Services

February 20, 1997

Tom Murphy
Mayor

Deborah S. Miskovich
Director

FCC MAIL ROOM

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Reply Comments of the City of Pittsburgh to the Notice of Proposed
Rule Making - Phase-In Mandatory Closed Captioning
CUID PA 1855

Dear Mr. Caton:

Enclosed please find an original and nine copies of the City of Pittsburgh's
Reply Comments in response to the Notice of Proposed Rule Making - Phase-In Closed
Captioning released on January 17, 1997.

Should you have any questions with respect to this filing, please advise.

Thank you for your attention in this matter.

Very truly yours,

Deborah S. Miskovich

DSM/MPC
Enclosures

cc: The Honorable President and All Members of Council (w/enclosures)
Mr. Salvatore M. Sirabella (w/enclosures)
Mr. Thomas E. Cox (w/enclosures)
Rodney R. Akers, Esq. (w/enclosures)
Joseph W. Eaton, Ph. D. (w/enclosures)
Mr. Dale A. Perrett (w/enclosures)
Mr. Michael T. Plaks (w/enclosures)
Ms. Mary Platt-Coles (w/enclosures)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Notice of Proposed Rule Making
Phase-In Mandatory Closed Captioning

TO: The Commission

COMMENTS OF THE CITY OF PITTSBURGH BENCHMARK FRANCHISE CUID PA 1855

I. Introduction

The City of Pittsburgh ("CITY") appreciates the opportunity to comment on the Federal Communications Commission Notice of Proposed Rule Making released on January 17, 1997, in the above-captioned proceeding relating to the Phase-In Mandatory Closed Captioning of virtually all video programming.

While Section 713 of the Telecommunications Act of 1996 requires the Commission to ensure that new video programming published or exhibited after the effective date of its regulations is closed captioned and to maximize the level of closed captioning in library programming created prior to the rules, the City has serious concerns regarding imposition of these requirements:

- As the obligations proposed by the Commission will substantially increase closed captioning costs for video programming producers and the price of video products to providers, the increased costs would necessarily be passed through to subscribers in the form of rate increases.
- The Commission should include Public, Educational and Governmental ("PEG") access programming as a categorical exemption from the mandatory requirement of closed captioning of all video programming. This requirement would be economically burdensome for both municipalities and other public entities.

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II. Discussion

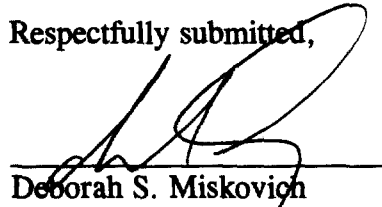
1. While the Commission proposes to place ultimate responsibility for captioning on the video providers, the programming producers will perform most of the captioning. The increased costs to production will result in increased costs to the final video product which will then be passed through to subscribers in the form of rate increases for the basic and cable programming services tiers. It is unclear if the Commission's requirements will impact premium channel services.
2. In this Notice the Commission is considering PEG access programming as a categorical exemption to the requirement of closed captioning of all video programming. The City agrees with the Commission that some access programming is of high public interest. Such programs are already closed captioned on a regular basis for one of the City's government channels. These closed captioning costs are included in the annual budget appropriation for programming. A mandatory requirement of closed captioning of all video programming would financially impact municipalities and other public entities at a time when severe budget constraints are necessary to continue many operations.

III. Conclusions

The City of Pittsburgh urges the Commission to consider the impact of the mandatory closed captioning requirements on rates charged to subscribers of multichannel video programming. The City concurs with the Commission's proposal that new programming be 100% closed captioned by the end of the eighth year.

The PEG access programming should be a categorical exemption from the mandatory requirement of closed captioning of all video programming due to the economic burdens that would be imposed on public entities by such a requirement.

Respectfully submitted,



Deborah S. Miskovich
Director, Department of General Services

DATE: February 20, 1997

Prepared by: Mary Platt-Coles
Mary Platt-Coles
Administration & Research Coord.